

Introduced: Mr. Herling
1st Reading: April 28, 2008
Passed: May 12, 2008
Posted: May 13, 2008
Effective: July 1, 2008

CHARTER AMENDMENT RESOLUTION NUMBER 2008-1

RESOLUTION NUMBER 1030

A RESOLUTION OF THE CITY OF GREENBELT ADOPTED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE CONSTITUTION OF MARYLAND AND SECTION 13 OF ARTICLE 23A OF THE ANNOTATED CODE OF MARYLAND, (1957 EDITION AS AMENDED), TITLE, "CORPORATION-MUNICIPAL," SUBTITLE "HOME RULE" TO AMEND THE CHARTER OF THE CITY OF GREENBELT FOUND, IN WHOLE OR IN PART, IN THE COMPILATION OF MUNICIPAL CHARTERS OF MARYLAND (1983 EDITION AS AMENDED), AS PREPARED BY THE DEPARTMENT OF LEGISLATIVE REFERENCE PURSUANT TO CHAPTER 77 OF THE ACTS OF THE GENERAL ASSEMBLY OF MARYLAND OF 1983, BY AMENDING PARAGRAPH (D), "POWERS," OF SECTION 12, TITLED "EMPLOYEE RELATIONS BOARD" TO PROVIDE THAT THE EMPLOYEE RELATIONS BOARD BE EMPOWERED TO HEAR GRIEVANCES ARISING OUT OF COLLECTIVE BARGAINING AGREEMENTS (CHARTER AMENDMENT RESOLUTION NO. 2008-1)

SECTION I WHEREAS, the City Code was amended in 2007 by Ordinance Number 1278 to include a Labor Code, which in Section 13-242 requires that all Collective Bargaining Agreements between the employer and the employee organization shall contain a grievance procedure containing a provision for binding decision by the City's Employee Relations Board. NOW, THEREFORE,

SECTION II BE IT RESOLVED AND ORDAINED by the Council of the City of Greenbelt that the Charter of the City, found, in whole or in part, in the compilation of Municipal Charters of Maryland (1983 edition as amended), as prepared by the Department of Legislative Reference pursuant to Chapter 77 of the Acts of the General Assembly of Maryland of 1983, shall be amended to read as follows:

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Sec. 12. Employee relations board.

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- (d) *Powers.* The board shall have power and shall be required to:
- (1) Conduct hearings, public or private, if requested by the employee, in accordance with the provisions of section 36 of this charter as amended.
 - (2) Hear grievance complaints arising out of classification, reclassification, or

any unreasonable, abusive, unfair, discriminatory, or oppressive treatment or working conditions or any reprisal arising out of any grievance complaints or testimony before the employee relations board and to make findings and recommendations thereon.

- (3) Review personnel policies and practices as they relate to grievances brought before this board and to make recommendations to the council and manager for the purpose of preventing grievances from arising.
- (4) In appeals, call witnesses and compel the testimony of officers and employees of the city and to require them to subscribe testimony and make oath or affirmation thereto before a person authorized to administer oaths under penalty of dismissal.
- (5) As may be required by Article VIII (Labor Code) of Chapter 13 of the city Code, hear and address grievances arising out of collective bargaining agreements.
- (§ 6) In grievances, if necessary to carry out the purposes of sections 13-179 and 13-242 of the city Code, call witnesses and request the testimony of officers and employees of the city and to require them to subscribe proffered written testimony and make oath or affirmation to proffered oral testimony before a person authorized to administer oaths, and request the production of documents.

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- SECTION III BE IT FURTHER RESOLVED that the date of the adoption of this resolution is May 12, 2008, and that the amendment to the Charter of the City, as herein adopted, shall be and become effective on July 1, 2008, unless on or before June 21, 2008, a proper petition for referendum on this resolution shall be filed as permitted by law.
- SECTION IV BE IT FURTHER RESOLVED that a complete and exact copy of this resolution shall be posted at the Greenbelt City Office, 25 Crescent Road, Greenbelt, Maryland, until June 21, 2008, and a fair summary of the proposed Charter amendment contained in this resolution shall be published in a newspaper of general circulation in the City of Greenbelt not fewer than four (4) times at weekly intervals before June 21, 2008.
- SECTION V BE IT FURTHER RESOLVED that as soon as the Charter amendment hereby enacted shall become effective, either as herein provided or following a referendum, the City Manager shall send or cause to be sent to the Department of Legislative Reference the following information concerning this Charter resolution: (1) the complete text of this resolution; (2) the date of enactment of the Charter amendment; (3) the date of the referendum election, if any; (4) the number of votes cast for or against this resolution whether by the City Council or in a referendum; and (5) the effective date of the Charter amendment contained herein.

SECTION VI AND BE IT FURTHER RESOLVED that the City Manager of the City of Greenbelt be and hereby is specifically enjoined and instructed to carry out or cause to be carried out the provisions of Sections IV and V.

Judith F. Davis, Mayor

ATTEST:

David E. Moran, Acting City Clerk

Key:

Underscoring indicates language added to existing law.

~~Overstriking~~ indicates language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.